

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DOMINIQUE CRISTELINA  
JOSEPHINE JENNIFER JORDAN, Minor.

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DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
April 20, 2006

Petitioner-Appellee,

v

DEAN CLEVELAND JORDAN, JR.,

Respondent-Appellant.

No. 265622  
Macomb Circuit Court  
Family Division  
LC No. 2004-4526821-NA

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Before: Murphy, P.J., and O'Connell and Murray, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm.

The trial court did not clearly err in finding that MCL 712A.19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Any error in finding that MCL 712A.19b(3)(c)(ii) was also established is harmless because clear and convincing evidence of only one statutory ground is required to terminate parental rights. MCL 712A.19b(3); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). At the time of the termination hearing, respondent was in prison and his child had been in foster care for one year. In the six months before respondent was sent back to prison, respondent did not attend parenting classes, adequately address his substance abuse issues, or obtain the skills necessary to care for his special-needs child. Respondent had the opportunity to comply with the treatment plan and do what was necessary to gain custody, but he instead chose to violate his parole, resulting in his imprisonment. There was no evidence of a definite out date for respondent or evidence that he was prepared to care for his child when he was released. The trial court properly found statutory grounds to terminate respondent's parental rights.

Further, the evidence did not show that the child's best interests precluded termination of respondent's parental rights. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent had never parented the minor child, did not attend parenting classes, and attended only eight of twenty-one available visits. He participated in substance abuse treatment for only three months and violated his parole during the pendency of this case.

Although respondent argues that the trial court failed to make findings regarding the child's best interests, the court did state that, based on the child's age and the length of time she had been in care, it was in her best interests to terminate the parental rights of both of her parents. MCL 712A.19b(5) merely provides the court an "opportunity" to find that termination is not in the child's best interests. *Trejo, supra* at 356. The trial court's statement regarding the child's best interests was sufficient.

Finally, the trial court did not abuse its discretion in denying respondent's request for an adjournment, where respondent, not knowing when he would be released from prison, was asking for an indefinite amount of time after his daughter had already been in foster care for one year. MCR 3.923(G)(1) and (2); *In re Jackson*, 199 Mich App 22, 28; 501 NW2d 182 (1993).

Affirmed.

/s/ William B. Murphy  
/s/ Peter D. O'Connell  
/s/ Christopher M. Murray